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OFFICIAL

To: Centralized Facsimile Center
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Facsimile: 703-872-9306
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From: Otis Littlefield

Date: June 17, 2004

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Re: U.S. Patent Application Serial No. 09/995,938
Title: GENES INVOLVED IN BRASSINOSTEROID HORMONE ACTION IN PLANTS
Inventors: Joanne CHORY et al.
Our Ref: 53279-20014.00

Attached are the following:

1. Transmittal (1 page)
2. Fee Transmittal (in duplicate, 2 pages)
3. Petition for Extension of Time (1 page)
4. Amendment Under 37 CFR 1.111 (14 pages)


PTO/SE/21 (08-03)

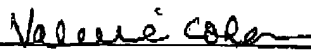
Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/995,938
		Filing Date	November 27, 2001
		First Named Inventor	Joanne CHORY
		Art Unit	1638
		Examiner Name	S. Baum
Total Number of Pages in This Submission	18	Attorney Docket Number	532792001400

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate, 2 pages) <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (14 pages) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration <input checked="" type="checkbox"/> Extension of Time Request (1 page) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks Sent via Facsimile (Facsimile Coversheet not counted as part of this submission)		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP (Customer No. 20872) Otis Littlefield - 48,751
Signature	
Date	June 17, 2004

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308, on the date shown below.	
Dated: June 17, 2004	Signature:  (Valérie Cohen)

sf-1726490

PTO/85/17 (01-03)
Approved for use through 04/30/2003. OMB 0851-0032

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)		55.00	
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Complete if Known	
Application Number	09/995,938
Filing Date	November 27, 2001
First Named Inventor	Joanna CHORY
Examiner Name	S. Baum
Group Art Unit	1638
Attorney Docket No.	532792001400

METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check	<input type="checkbox"/> Credit Card
<input type="checkbox"/> Money Order	<input type="checkbox"/> Other
<input type="checkbox"/> None	
<input checked="" type="checkbox"/> Deposit Account	
Deposit Account Number	03-1952
Deposit Account Name	Morrison & Foerster LLP
The Commissioner is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input checked="" type="checkbox"/> Credit any overpayments
<input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.	

FEE CALCULATION (continued)			
3. ADDITIONAL FEES			
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1061	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1281	110	2251 55 Extension for reply within first month	65
1282	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	330	2401 185 Notice of Appeal	
1402	320	2402 180 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1480	130	1480 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1808	180	1808 180 Submission of Information Disclosure Stmt	
9021	40	9021 40 Recording each patent assignment per property (times number of properties)	
1809	750	2809 375 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810 375 For each additional invention to be examined (37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify)		1615 Claims - extra total (over 20)	
Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	55.00

FEE CALCULATION							
1. BASIC FILING FEE							
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid				
1001	750	2001 375 Utility filing fee					
1002	330	2002 165 Design filing fee					
1003	530	2003 260 Plant filing fee					
1004	750	2004 375 Reissue filing fee					
1005	100	2005 50 Provisional filing fee					
SUBTOTAL (1)		(\$)	0.00				
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE							
Total Claims	25	-27 =	0	x	9	=	0.00
Independent Claims	4	-5 =	0	x	43	=	0.00
Multiple Dependent				x	145	=	0.00
Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid				
1202	18	2202 9 Claims in excess of 20					
1201	86	2201 43 Independent claims in excess of 3					
1203	290	2203 145 Multiple dependent claim, if not paid					
1204	84	2204 42 ** Reissue independent claims over original patent					
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent					
SUBTOTAL (2)		(\$)	0.00				
** or number previously paid, if greater. For Reissues, see above							

SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Otis Littlefield	Registration No. (Attorney/Agent)	48,751
Signature		Telephone	(415) 268-6846
		Date	June 17, 2004

sf-1726495

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FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)		55.00	
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METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 03-1952

Deposit Account Name: Morrison & Foerster LLP

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 150	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
25	-27 =	0	0.00
4	-5 =	0	0.00
Multiple Dependent		145	0.00

3. ADDITIONAL DUPLICATE FOR FEE PROCESSING

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for ex parte reexamination	
1804 820*	2804 920*	Requesting publication of SIR prior to Examiner action	
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1254 1,480	2254 740	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
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1403 280	2403 140	Request for oral hearing	
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1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
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1807 50	2807 50	Processing fee under 37 CFR 1.17(g)	
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1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1602 900	2602 900	Request for expedited examination of a design application	
Other fee (specify)	1615	Claims - extra total (over 20)	
SUBTOTAL (3) (\$)			55.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY

Name (Print/Type): Otis Littlefield

Registration No. (Attorney/Agent): 48,751

Signature: *Otis Littlefield*

Complete (if applicable)

Telephone: (415) 268-8848

Date: June 17, 2004

sf-1726495

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Dated: June 17, 2004

Signature: Valerie Cohen
(Valerie Cohen)

Docket No.: 532792001400
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Joanne CHORY et al.

Application No.: 09/995,938

Art Unit: 1638

Filed: November 27, 2001

Examiner: S. Baum

For: GENES INVOLVED IN BRASSINOSTEROID
HORMONE ACTION IN PLANTS

AMENDMENT UNDER 37 C.F.R. 1.111

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated February 17 2004, (Paper No. 0104), for which a response was due on May 17, 2004. A petition for a one-month extension of time is enclosed to extend the deadline to respond to this Office Action to June 17, 2004. Accordingly, this response is timely filed. Reconsideration and allowance of the pending claims, as amended, in light of the remarks presented herein are respectfully requested.

Amendments to the Specification are shown beginning on page 3 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 5 of this paper.

Remarks begin on page 9 of this paper.

sf-1694546

Application No.: 09/995,938

2

Docket No.: 532792001400

The Conclusion begins on page 14 of this paper.

sf-1694546